



Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

February 5, 2004

100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
(317) 232-8603  
(800) 451-6027  
[www.in.gov/idem](http://www.in.gov/idem)

TO: Interested Parties / Applicant

RE: Crawfordsville Electric Power and Light / 107-16387-00003

FROM: Paul Dubenetzky  
Chief, Permits Branch  
Office of Air Quality

## Notice of Decision: Section 112(j) Applicability Determination

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for a stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) the date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons with particularity, for the request;
- (5) the issues, with particularity, proposed for consideration at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosure  
FN-112jdet.dot 9/16/03



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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February 5, 2004

Mr. Roy E. Kaser                      61-50 DW  
Crawfordsville Electric Light and Power  
PO Box 428  
Crawfordsville, IN 47933

Re:      Response to Review Request No. 16387:  
         Section 112(j) Applicability Determination  
         Plant ID: 107-00003

Dear Mr. Kaser:

Crawfordsville Electric Light and Power (CEL&P), located at 700 Lafayette Road in Crawfordsville Indiana, submitted a request for an applicability determination regarding the requirements of Section 112(j) of the Clean Air Act (CAA) on May 10, 2002. The letter was submitted in accordance with 40 CFR 63.52(d)(1) and requested that the Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) determine if CEL&P is subject to the requirements of Section 112(j) (40 CFR 63.50 through 63.56) for the following source categories:

- Reciprocating Internal Combustion Engines (RICE); and
- Industrial, Commercial, and Institutional Boilers and Process Heaters.

Pursuant to 40 CFR 63.50, the requirements of Section 112(j) will apply only if your entire source is a major source of hazardous air pollutants (HAPs) and one or more of your processes or emissions units belong in a category or subcategory for which the United States Environmental Protection Agency (U.S. EPA) has failed to promulgate an emission standard on or before the Section 112(j) deadline. IDEM, OAQ has determined that your source is subject to Section 112(j) for the Industrial, Commercial, and Institutional Boilers and Process Heaters source category. IDEM, OAQ has also determined that your source is not subject to Section 112(j) for the Reciprocating Internal Combustion Engines (RICE) source category. Explanations of these determinations are provided below.

## MAJOR SOURCE DETERMINATION

The information submitted in the Part 1 MACT Application indicates that CEL&P is a major source of HAPs and the issued Title V permit (T 107-6495-00003, issued on July 28, 2003) for CEL&P indicates that the source is a major source of HAPs. Since CEL&P is a major source of HAPs, IDEM, OAQ evaluated the source categories for which CEL&P requested an applicability determination.

## SOURCE CATEGORY DETERMINATION

### 1.      **Reciprocating Internal Combustion Engines (RICE) NESHP**

IDEM, OAQ used the following information to determine if the 1000 Kilowatt (kW) Black Start electricity generator utilizing an internal combustion engine rated at 10 million British thermal units per hour (mmBtu/hr) and operating on No. 2 diesel fuel belongs to the affected source category, Reciprocating Internal Combustion Engines:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;

- The issued Title V permit, T 107-6495-00003, for Crawfordsville Electric Light and Power;
- The proposed federal rule from the December 19, 2002 *Federal Register*; and
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/combust/engine/ricepg.html>.

There is no final MACT Standard for the RICE source category. The proposed rule for this source category was published on December 19, 2002. Section 63.6585 of the proposed rule for the RICE NESHAP indicates that the affected source covered by the rule is, "...any existing, new, or reconstructed stationary RICE located at a major source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand". 40 CFR 63.6585 defines a stationary RICE as, "...any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile..." Section 63.6590(b)(2) of the proposed rule exempts stationary RICE that meet any of the following criteria from the requirements of the rule and 40 CFR 63, Subpart A:

- Existing spark ignition 2 stroke lean burn (2SLB) RICE;
- Existing spark ignition 4 stroke lean burn (4SLB) RICE;
- Compression ignition (CI) RICE; or
- RICE with a manufacturer's nameplate rating of less than or equal to 500 brake horsepower.

The 1000 kW Black Start electricity generator utilizing an internal combustion engine rated at 10 mmBtu/hr and operating on No. 2 diesel fuel is not subject to the proposed MACT because it is a compression ignition RICE that is exempt under 40 CFR 63.6590(b)(2)(i). Therefore, the 1000 kW Black Start electricity generator at CEL&P is not part of the affected source category, Reciprocating Internal Combustion Engines.

Pursuant to 40 CFR 63.52(e)(2)(i), based on the information available at this time, IDEM, OAQ has determined that the 1000 kW Black Start electricity generator utilizing an internal combustion engine rated at 10 mmBtu/hr and operating on No. 2 diesel fuel at CEL&P does not belong to the affected source category, Reciprocating Internal Combustion Engines. CEL&P will not be required to submit a Part 2 MACT Application in accordance with 40 CFR 63.53(b) for this affected source category. If CEL&P is subject to Section 112(j) for any other source categories, CEL&P shall submit a Part 2 MACT Application for those source categories.

## 2. **Industrial, Commercial, and Institutional Boilers and Process Heaters NESHAP**

IDEM, OAQ used the following information to determine if the two coal-fired boilers at CEL&P belong to the affected source category, Industrial, Commercial, and Institutional Boilers and Process Heaters:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;
- The issued Title V permit (T 107-6495-00003) for CEL&P;
- The proposed federal rule from the January 13, 2003 *Federal Register*; and
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

There is no final MACT Standard for the Industrial, Commercial, and Institutional Boilers and Process Heaters source category. The proposed rule for this source category was published on January 13, 2003. Section 63.7490(b) of the proposed rule defines the affected source to which the Industrial, Commercial, and Institutional Boilers and Process Heaters MACT will apply as "each industrial, commercial, or institutional boiler or process heater, as defined in [40 CFR] 63.7485..." The definition of "industrial, commercial, or institutional boiler" provided in 40 CFR 63.7485(a) is: "...an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water."

The two coal-fired boilers at CEL&P, identified as Unit 5 and Unit 6, are rated at 175 and 192 million British thermal units per hour (mmBtu/hr), respectively. The two boilers meet the criteria in the definition of a boiler. The purpose of these boilers is to provide steam, which is then used to turn turbine generators used to generate electricity. While the boilers are used to generate electricity, the boilers do not meet the definition of electric utility steam generating unit under 40 CFR 63.7575 because the units

do not serve a generator greater than 25 Megawatts (MW). Therefore, the boilers do not meet the exemption criteria under 40 CFR 63.7490(b)(3). Therefore, it may be reasonably determined that the two coal-fired boilers, Unit 5 and Unit 6, will be regulated by the Industrial, Commercial, and Institutional Boilers and Process Heaters MACT.

Pursuant to 40 CFR 63.52(e)(2)(i), based on the information available at this time, IDEM, OAQ has determined that the coal-fired boilers at CEL&P belong to the affected source category, Industrial, Commercial, and Institutional Boilers and Process Heaters. If CEL&P continues to meet the applicability criteria of 40 CFR 63.50 at the time of the Part 2 MACT Application deadline for this source category, CEL&P shall submit a Part 2 MACT Application in accordance with 40 CFR 63.52(e)(2)(i) and 40 CFR 63.53(b), postmarked no later than the Part 2 MACT Application deadline. The Part 2 MACT Application deadline for the Industrial, Commercial, and Institutional Boilers and Process Heaters source category is April 28, 2004. The most current information regarding Section 112(j), including the promulgation schedule for the remaining MACT standards, is available on the OAQ 112(j) web page at <http://www.in.gov/idem/air/permits/112j>. For the most current information regarding this source category, refer to U.S. EPA's Air Toxics Website for the Industrial, Commercial, and Institutional Boilers and Process Heaters source category at <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>. IDEM, OAQ intends to reopen and revise your Title V operating permit, T 107-6495-00003, to include all applicable MACT requirements.

If U.S. EPA promulgates a final MACT standard prior to IDEM, OAQ issuing a permit containing the Section 112(j) determination requirements, a source is no longer subject to Section 112(j) for that source category, including the requirement to submit a Section 112(j) Part 2 MACT Application. A source is still subject to Section 112(j) for any other source categories that do not have promulgated MACT standards.

This determination is based on the information provided by CEL&P, IDEM, OAQ records, and the information currently available from the U.S. EPA. Note that if additional equipment or capacity is added or operational practices are changed (e.g., switching solvents from a solvent that contains no HAPs to a solvent containing HAPs), the Section 112(j) requirements may be triggered in accordance with 40 CFR 63.52(b). If the events described in 40 CFR 63.52(b) occur at the source, CEL&P shall submit a Part 1 MACT Application in accordance with the requirements and schedule contained in 40 CFR 63.52(b).

Questions should be directed to Rebecca Mason or Karthika Thurairajah, IDEM, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015. To reach Rebecca Mason or Karthika Thurairajah, by phone, please call (800) 451-6027, ask for Rebecca Mason or Karthika Thurairajah or extension 3-9664 or 3-4227, or dial (317) 233-9664 or (317) 233-4227.

Sincerely,

Original Signed by Paul Dubenetzky

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Quality

RM/KT

CC: File - Montgomery County  
Montgomery County Health Department  
Air Compliance – Dan Hancock  
Administration Section  
U.S. EPA Region V – Genevieve Damico